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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION EIGHT

In re J.P. et al., Persons Coming
Under the Juvenile Court Law.

LOS ANGELES COUNTY
DEPARTMENT OF CHILDREN
AND FAMILY SERVICES,

Plaintiff and Respondent,

v.

M.P.,

Defendant and Appellant.

B293814

(Los Angeles County
Super. Ct. No. DK15492)

APPEAL from orders of the Superior Court of Los Angeles
County, Natalie P. Stone, Judge. Affirmed.

Cristina Gabrielidis, under appointment by the Court of
Appeal, for Defendant and Appellant.

Mary C. Wickham, County Counsel, Kristine P. Miles,
Assistant County Counsel, and Veronica Randazzo, Deputy County
Counsel, for Plaintiff and Respondent.

Mother petitioned the juvenile court to modify orders terminating reunification services for two of Mother's children. The juvenile court denied the petitions without a hearing. Mother appeals and we affirm.

Welfare and Institutions Code section 388 allows a parent to petition the juvenile court to modify an earlier order. (Welf. & Inst. Code, § 388, subd. (a).) To get a hearing on the petition, the parent must show (1) circumstances have changed since the earlier order, and (2) modification of the order would be in the child's best interest. (*In re Alayah J.* (2017) 9 Cal.App.5th 469, 478.) We review denial of a petition for abuse of discretion. (*Ibid.*)

We recently affirmed the juvenile court's denial of a nearly identical petition by Mother, where she sought modification of an order terminating reunification services for another one of her children. (*In re A.M.B.* (Apr. 26, 2019, B293808) [nonpub. opn.].) The petition in the earlier appeal and the petitions in this appeal were filed at the same time, based on the same grounds, supported by the same exhibits, and aimed at orders issued the same day for the same reasons. The only difference between the petition in the earlier appeal and the petitions here is the children involved.

We affirmed the denial of Mother's other petition because we rejected Mother's argument that circumstances affecting all her children had changed. (See *In re A.M.B.* (Apr. 26, 2019, B293808) [nonpub. opn.].) Mother claimed circumstances changed because she improved her housing situation, reformed through counseling, and ended her relationship with a violent man who repeatedly hurt Mother and her children. (*Ibid.*) We did not affirm based on concerns specific to any one of Mother's children. (*Ibid.*)

In this appeal, mother rehashes these same arguments. We reject them for reasons explained in our previous opinion.

Mother tries to reframe her failed arguments in her reply brief, which she filed after our opinion concerning her other petition. Mother has forfeited her reframed arguments by waiting until her reply to raise them. (*Drulias v. 1st Century Bancshares, Inc.* (2018) 30 Cal.App.5th 696, 710.) We nonetheless consider the arguments to show they fare no better than her original arguments. She fails to show the juvenile court abused its discretion by denying her petitions.

Mother's reply first tries to revive her claim that her housing situation has changed. Her opening brief argued circumstances changed because she was "actively pursuing" permanent housing. Our previous opinion noted although Mother may be *pursuing* permanent housing, she had "not *found* permanent housing. She remained in temporary housing, as she had for the duration of this case." (See *In re A.M.B.* (Apr. 26, 2019, B293808) [nonpub. opn.]) Mother's reply counters "Mother was often *homeless* during the dependency." Mother's shifting argument does not change the fact that she had temporary housing before the court's orders — a fact she conceded on reply in her earlier appeal. The advent of temporary housing is not a changed circumstance in this case.

Mother's reply argues we should give more weight to her recent progress in counseling and therapy. Mother claims the absence of recently reported domestic violence proves her progress is meaningful. As we explained previously, Mother's past good progress failed to prevent domestic violence from recurring. Mother's most recent reply gives no new reason why it would be irrational for the juvenile court to believe Mother's good progress would once again give way to domestic violence.

Mother's reply contends she "should have been given the benefit of the doubt, particularly where she was successfully engaging in services." As we explained previously, the "juvenile

court had ample grounds for treating Mother’s words as worthless.” (See *In re A.M.B.* (Apr. 26, 2019, B293808) [nonpub. opn.].) That conclusion counters Mother’s arguments that circumstances have changed because she says she has ended her relationship with her abuser and she claims to feel remorse for her past mistakes.

Mother emphasizes a modification petition should be “liberally construed,” in parents’ favor. (*In re Marilyn H.* (1993) 5 Cal.4th 295, 309.) Given Mother’s history of deceit, the juvenile court was not required to believe her.

Circumstances have not changed. The juvenile court did not abuse its discretion by denying the modification petitions.

DISPOSITION

We affirm.

WILEY, J.

WE CONCUR:

BIGELOW, P. J.

GRIMES, J.